

June 7, 2016

VIA ECF

The Honorable Frank Maas
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 740
New York, NY 10007

RE: *In Re: Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD) (FM)*

Dear Judge Maas:

On behalf of Defendants Sana Bell, Inc. and Sanabel al Kheer, Inc. (collectively “Sanabel”), I write in Response to Plaintiffs’ Motion to Compel filed on November 13, 2015 (EC 3127).

For the reasons described herein, Sanabel submits to a Default in this matter.

As previously noted, Sanabel’s sole representative, Dr. Abdel Hillali, has struggled to be responsive in this matter of late. Dr. Hillali has suffered from heart problems and extreme hypertension in recent years. As a result, he underwent triple bypass heart surgery and other various procedures that occupied the bulk of his time in 2015 and continuing into 2016. He continues to be very weak and finds it very difficult to focus on this matter. To make matters worse, Sanabel has extremely limited assets comprised of very limited funds in one bank account.

As a result, Dr. Hillali is not in a position to continue to serve as the sole contact point for the Sanabel organization in this case, and no one else is available to serve in that capacity (or serves on the Sanabel board or otherwise for that matter). He has expressly instructed me to request that a Default be entered against Sanabel in this matter.

Sanabel also respectfully requests that the Court not levy any sanctions against it in this matter. As Your Honor stated in the February 22, 2016 Report and Recommendation (ECF #3220) “any default judgment against Sanabel is likely to involve damages well into the eight figures. See e.g., In re Terrorist Attacks on Sept. 11, 2001, No. 3 Civ. 9848 (GDB) (FM), 2012 WL 3090979, at *1 (S.D.N.Y. July 30, 2012) adopted, 2012 WL 4711407 (S.D.N.Y. Oct. 3, 2012) (awarding damages in excess of \$6B to the plaintiffs in



Havlish v. bin Laden, 03 Civ. 9848 (GBD) (FM)). It follows that any award of attorneys' fees would be a colossal waste of time."

Respectfully submitted,

Christopher C. S. Manning

Counsel for Sana Bell, Inc. and Sanabel al Kheer, LLC

cc: The Honorable George B. Daniels (via ECF and USPS)
MDL-1570 Counsel of Record (via ECF)